

ordered to elect a person to fill the unexpired term and a person to fill the succeeding term in certain offices where the incumbent is re-elected and thereafter dies, resigns or for any other reason a vacancy occurs in the unexpired term, and no person is legally entitled to fill the term to which the former officer was elected to succeed himself; providing that an election shall be ordered upon acceptance of resignation of the incumbent of certain offices where he tenders a resignation effective at a future date, to select a successor to the incumbent for the unexpired term; providing that where the officer-elect of certain offices dies before qualifying or becomes ineligible to qualify for the office to which he was elected, an election to select a successor to the incumbent shall immediately be ordered; designating the Governor as the proper officer to receive and accept resignations of public officers where no other officer is authorized to receive same; repealing Art. 2952, Revised Civil Statutes of 1925; validating elections heretofore made where same would have been authorized under this Act; providing that if any section, paragraph or provision hereof be held unconstitutional or invalid the remaining portions of this Act shall not be affected but shall remain in force and effect; and declaring an emergency."

The rule requiring printed copies of the bill to lie on the desks of Senators one day was suspended by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 1 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Moore.
Blackert.	Murphy.
Collie.	Neal.
Cousins.	Oneal.
DeBerry.	Pace.
Duggan.	Parr.
Fellbaum.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Russek.

Sanderford.	Woodul.
Stone.	Woodward.
Woodruff.	

Absent—Excused.

Rawlings.	Small.
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Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Stone.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Rawlings.	Small.
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Adjournment.

On motion of Senator Cousins, the Senate, at 11:43 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

THIRD DAY.

Senate Chamber,
Austin, Texas,
January 13, 1933.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Walter Woodul.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent—Excused.

Fellbaum.	Rawlings.
Greer.	Small.
Patton.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Holbrook:

S. B. No. 16, A bill to be entitled "An Act making appropriation to pay the presidential electors of Texas, providing how it shall be made, and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Holbrook:

S. B. No. 17, A bill to be entitled "An Act making an appropriation to be paid out of any funds not otherwise appropriated, and credited to the Sand, Shell, and Gravel Fund in the State Treasury, as an emergency to cover refund of State tax on mud-shell due the city of Texas City, Texas; and declaring an emergency."

Read and referred to Committee on Finance.

By Senator Holbrook:

S. B. No. 18, A bill to be entitled "An Act making an appropriation to be paid out of any funds not otherwise appropriated, and credited to the Sand, Shell, and Gravel Fund in the State Treasury, as an emergency to cover refund of State tax on mud-shell due Galveston County; and declaring an emergency."

Read and referred to Committee on Finance.

By Senators Holbrook and Duggan:

S. B. No. 19, A bill to be entitled "An Act to provide for liens in favor of hospitals and other institutions furnishing care, treatment, and maintenance of persons injured in accidents, upon the rights of action, claims and demands of such injured persons against other persons or corporations for damages on account of negligence causing the injuries, and upon the proceeds of the settlements of any such claims or demands."

Read and referred to Committee on Civil Jurisprudence.

By Senator Hornsby:

S. B. No. 20, A bill to be entitled "An Act fixing the time for making election returns by presiding judges in general and special elections, and amending Article 3123 so as to fix the time for making precinct and county election returns in party primary elections; fixing a penalty for the failure to make such returns within the time prescribed by this Act; and declaring an emergency."

Read and referred to Committee on Privileges and Elections.

By Senator Oneal:

S. B. No. 21, A bill to be entitled "An Act to amend Section 28, as heretofore amended by Chapter 5, page 14, of the Special Laws of the Regular Session of the 42nd Legislature, of Chapter 36, page 359, of the Acts of the 31st Legislature, approved March 15, 1909, entitled: 'An Act to validate the Wichita Falls Independent School District, in Wichita County, Texas' (and for other purposes), and as heretofore variously amended, by providing that all taxes of said district for the calendar year 1933 and subsequent years shall become due on the first day of October of each year, respectively, and that unless one-half of such taxes are paid on or before the 31st day of the month in which such taxes become due, the entire taxes for that year shall become delinquent, and a penalty of ten per centum on all of said taxes shall accrue thereon; if, however, one-half of such taxes shall be paid on or before the 31st day of October aforesaid, then the remaining one-half of said taxes may be paid on or before the 30th day of April next following, without becoming delinquent, but if such remaining one-half of said taxes shall not be paid on or before the date last mentioned, said taxes shall immediately become delinquent and a like penalty of ten per centum on all of said taxes shall accrue thereon; further providing that all delinquent taxes shall draw interest at the rate of six per cent per annum from the date such taxes become delinquent, repealing all laws in conflict therewith, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Duggan:

S. B. No. 22, A bill to be entitled "An Act authorizing cities and towns under 5,000 inhabitants to establish and maintain municipal chambers of commerce or boards of city development, and to appropriate funds of the municipality for that purpose; providing for referendum elections by the qualified property tax paying voters of cities and towns to determine whether or not such chambers of commerce or boards or city development shall be established and maintained; authorizing the governing bodies of cities and towns to pass ordinances and resolutions and enter into contracts for the organization, maintenance, operation and control of such chambers of commerce or boards of city development; exempting charters already existing from the provisions thereof; repealing laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Towns and City Corporations.

By Senator Russek:

S. B. No. 23, A bill to be entitled "An Act amending Articles 3552, 3553, 3565, 3566, 3567 and 3569 of the Revised Civil Statutes of the State of Texas, 1925, giving authority to executors and administrators the right to mortgage and sell the property belonging to the estate of deceased persons, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senators DeBerry and Woodward:

S. B. No. 24, A bill to be entitled "An Act to repeal Chapter 97, Senate Bill No. 18, Acts of the Regular Session of the 41st Legislature; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senators Fellbaum, Rawlings, and Small, on motion of Senator Regan.

Senator Patton, on motion of Senator Redditt.

Senator Greer, on motion of Senator Poage.

Invitation to Reception.

Senator Hornsby sent up the following invitation:

The members of the Senate and their ladies are hereby extended a hearty and most cordial invitation to attend the reception to be given in honor of Governor Miriam A. Ferguson and Lieutenant Governor Edgar E. Witt, at the Gregory Gymnasium Tuesday night, January 17, A. D. 1933.

The doors will be open at 7.00 p. m. and we will be glad to have all guests present at 7:30 when the old-time square dances will be "pulled off" on the large stage in their old original forms by dancers from the "Old Hog Eye Neighborhood" in Bastrop County, Brownwood, and other sections of Texas.

The receiving line will be on the stage from nine o'clock until ten p. m. and then the dancing will begin.

The guest tickets which have been furnished to the members will admit them and their ladies to the Gregory Gymnasium, the Austin Roof and Driskill Hotel balls.

There will be a "hot time" in your capital city that night and you can not afford to miss it. We will expect all of you as well as all of your constituents to be with us on that occasion.

Most cordially yours,
HORNSBY.

Read and accepted.

Senate Simple Resolution No. 10.

Senator Duggan sent up the following resolution:

Resolved, That the Senators who have no copy, and the Secretary of the Senate, be furnished a copy each of Vernon's Complete Texas Statutes, 1928, and Supplement of 1931, to be paid for out of the contingent expense fund of the Senate, also that the Senate Librarian be furnished a copy of each, to be and remain the property of the Senate.

DUGGAN,	POAGE,
MOORE,	PARR,
REGAN,	MARTIN,
STONE,	BLACKERT,
HORNSBY,	WOODWARD,
REDDITT,	PACE,
HOLBROOK,	WOODRUFF,
COUSINS,	SANDERFORD.

Read and adopted.

Recess.

On motion of Senator Martin, the Senate, at 10:15 o'clock a. m., recessed until 11 o'clock a. m.

After Recess.

The Senate met at 11 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem. Walter Woodul.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, Jan. 12, 1933.
Hon. Walter Woodul, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 2. A bill to be entitled "An Act appropriating the sum of two hundred thousand (\$200,000.00) dollars, or so much thereof as may be necessary, payable out of the general revenue and not otherwise appropriated, to pay the mileage of members, their per diem, and to pay the salaries and per diem of officers and employees of the Forty-third Legislature of the State of Texas; and declaring an emergency."

S. B. No. 3. A bill to be entitled "An Act making an appropriation of the sum of fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary, out of the general revenue of the State of Texas, to pay the contingent expenses of the Regular Session of the Forty-third Legislature of the State of Texas, providing how accounts may be approved and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 12, 1933.
Hon. Walter Woodul, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. C. R. No. 2, Providing for a committee to count the votes for Governor and Lieutenant Governor. The following committee has been appointed on the part of the House: McGregor, Ford, Anderson of Bexar, Jones of Atascosa, and Walker.

S. C. R. No. 3 (with amendment), Relative to per diem of the members.

S. C. R. No. 1, Relative to the adoption of joint rules of the House and Senate.

H. C. R. No. 1, Endorsing the position of Senator Tom Connally and Honorable R. E. Thomason protesting the action of the War Department in removing troops from Fort D. A. Russell.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, Jan. 13, 1933.
Hon. Walter Woodul, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 2, Providing for a joint session of the House and Senate to count votes cast for Governor and Lieutenant Governor at 2 o'clock p. m., January 13, 1933.

H. C. R. No. 3, Providing for the appointment of a committee to count the votes for Governor and Lieutenant Governor. The following have been appointed on the part of the House: Daniel, McLean, and Morrison.

H. C. R. No. 4, Providing for the payment of expenses of inaugural ceremonies.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion for Free Conference.

Senator Parr moved not to concur in the House amendment to S. C. R. No. 3 and to ask for a free conference committee.

Senator Holbrook moved as a substitute that the Senate concur in the House amendment.

The substitute motion was lost by the following vote:

Yeas—9.

DeBerry.	Poage.
Duggan.	Purl.
Holbrook.	Redditt.
Hornsby.	Woodruff.
Oneal.	

Nays—13.

Blackert.	Hopkins.
Collie.	Martin.
Cousins.	Moore.

Pace. Sanderford.
Parr. Stone.
Regan. Woodul.
Russek.

Absent.

Beck.

Absent—Excused.

Rawlings. Small.

(Pairs Recorded.)

Senator Murphy (present) who would vote yea, with Senator Greer (absent) who would vote nay.

Senator Neal (present) who would vote yea, with Senator Patton (absent) who would vote nay.

Senator Woodward (present) who would vote yea, with Senator Fellbaum (absent) who would vote nay.

Senator Purl moved to lay the resolution on the table subject to call.

Senator Russek moved to table the motion. The motion to table prevailed by the following vote:

Yeas—14.

Beck.	Pace.
Blackert.	Parr.
Cousins.	Regan.
Hopkins.	Russek.
Martin.	Sanderford.
Moore.	Stone.
Murphy.	Woodul.

Nays—10.

Collie.	Oneal.
DeBerry.	Poage.
Duggan.	Purl.
Holbrook.	Redditt.
Hornsby.	Woodruff.

Absent—Excused.

Greer. Small.
Rawlings.

(Pairs Recorded.)

Senator Neal (present) who would vote nay, with Senator Patton (absent) who would vote yea.

Senator Woodward (present) who would vote nay, with Senator Fellbaum (absent) who would vote yea.

Senator Parr moved the previous question on further consideration of the resolution. The motion was lost.

Special Committee Report.

Senator Woodward sent up the following special committee report:

Committee Room,

Austin, Texas, Jan. 13, 1933.

Hon. Walter F. Woodul, President
Pro Tem. of the Senate.

Sir: We, your Committee on Employment authorized by the caucus to assign employees, other than private secretaries, to their respective places of employment, beg leave to report that we have assigned the following employees appointed by the several Senators, to the several departments as follows:

1. Engrossing and Enrolling Clerk:

Miss Essie McGinnis (elected).

First Assistant: Miss Kathryne Burch (Woodruff).

Typists: Mrs. Grace Corkran (Regan).

Miss Jewel Middleton (Stone).

Miss Louise Matheny (DeBerry).

Miss Mary Quarles (one-third time, Poage).

O. L. Golden, Jr. (one-fourth time, Murphy).

Proof Readers: Mrs. J. W. Blair (Sanderford).

Miss Ann Brown (Neal).

Mrs. Laura Kennedy (one-half time, Hopkins).

Howard Martin (Oneal).

2. Calendar Clerk: Mrs. Martha Turner (Rawlings).

Assistant Calendar Clerk: Rosewynne Westbrook (elected as Calendar Clerk; not charged to anyone but under re-arrangement was made assistant and Mrs. Martha Turner made Calendar Clerk, on account of experience, and charged to Senator Rawlings).

3. Journal Clerk: Wendell O'Neal (elected).

Assistant Journal Clerk: Mrs. Mary Greer Rugeley (Hornsby).

4. Mailing Clerk: Miss Cora Carver (Moore).

Assistants: Mrs. K. Collins (Purl).
Mrs. Estelle Gardner (half-time, Holbrook).

Irving Moody (half-time, Holbrook).

E. Flourney Sansom, Jr. (half-time, Duggan).

Wm. Howard Hoffman, (half-time, Duggan).

- Ray Odum, (half-time, Redditt).
Clayton Binion, (half-time, Redditt).
5. Postmistress: Mrs. W. P. Lawrence (Fellbaum).
Assistant: Mrs. Tila Schroeter (half-time, Hopkins).
6. Librarian: Miss Theodosia Bell (Woodul).
Assistant:
Telephone Operator: Miss Mary Jacobs (elected).
Assistant Telephone Operator (Day): (To be assigned by Sergeant-at-arms).
Assistant Telephone Operator (night): (To be assigned by Sergeant-at-arms).
8. Doorkeeper: W. J. J. Terrell (Elected).
Assistant Day Doorkeepers: Ed. H. Wilson (Martin).
Steve Bennett (Russek).
Assistant Night Doorkeeper: Earl Roberts (one-third time, Poage).
9. Sergeant-at-arms: A. W. Holt (Elected).
Assistants: J. O. West (Woodward).
James Ruhmann (Blackert).
Edward M. Potter (to receive \$42.50, Pace).
Jesse Taylor (to receive \$42.50, Pace).
W. B. Woods (one-fourth time, Patton).
John Kott (one-fourth time, Patton).
Edgar Loggins (one-fourth time, Patton).
Robert Williamson (one-third time, Poage).
Rayburn Thompson (one-half time, Murphy).
R. E. Allen (to receive \$50.00, Parr).
Otho Griffin (one-fourth time, Murphy).
J. A. Moore (Beck).
Day Sergeant-at-arms (Stationery Room):
W. H. McDonald (Collie).
10. Special Assignments of Committee Clerkships:
Clerk to Committee on Stock and Stock Raising:
H. F. Rachel (to receive \$85.00, Parr).
Clerk to Committee on Public Debts:
W. H. Frederick (to receive \$50.00, Pace).

Clerk to Committee on Mining, Irrigation and Drainage:

John Moore (Cousins).

Clerk to Committee on State Penitentiaries:

Edgar Mitchell (one-fourth time, Patton).

Clerk to Committee on Congressional Districts:

Doyle Willis (Greer).

11. Finance: (No assignments).

We beg further to report that the foregoing assignments do not include the personal appointments of the Lieutenant Governor.

We beg further to report that in making the assignments of the employees hereinabove named, each of whom are named by the Senator as indicated, we have taken into consideration the special fitness and qualifications of the employee and assigned such employee as best we could.

We beg further to report that we have made no assignment of any employee to the Committee on Finance, believing that this particular committee was one which requires employees possessing special qualifications, and after making assignments of employees, as hereinabove shown, we conclude that it is to the best interest of the Senate and the Finance Committee that the chairman and vice-chairman be permitted to select their own employees and with that in view, we recommend that the chairman and vice-chairman be given authority to employ not to exceed seven employees instead of four, as heretofore directed by the Senate, and that the salaries of said employees be as recommended in the Senate caucus report adopted on January 10, 1933.

Respectfully submitted,

WOODWARD, Chairman,
RUSSEK,
REDDITT,
HOPKINS,

The report was read and adopted.

H. C. R. No. 2.

The Chair laid before the Senate:
H. C. R. No. 2, Providing for canvassing of returns of election of executive officers of the State of Texas at 2 p. m., January 13, 1933.
Read and adopted.

H. C. R. No. 3.

The Chair laid before the Senate:
H. C. R. No. 3, Providing for a joint committee to count the votes for Governor and Lieutenant Governor.

Read and adopted.

H. C. R. No. 4.

The Chair laid before the Senate:
H. C. R. No. 4, Relating to expenses of inauguration ceremony.

Read and adopted.

Committee to Count Votes Appointed.

The Chair appointed the following on the part of the Senate to count the votes for Governor and Lieutenant Governor:

Senators Redditt, Collie, and Dugan.

Executive Session.

At 12:10 o'clock p. m. the Chair announced that the hour for the executive session had arrived. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,

Austin, Texas, Jan. 13, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following nominations of the Governor, beg leave to report that we have considered the appointees recommended by the Governor and I am instructed to recommend that the following named persons for the following named positions be in all things confirmed:

Hon. J. E. Josey of Houston, to succeed Hon. J. W. Fitzgerald, resigned, as a member of the Board of Regents of the State Teachers College.

Hon. S. B. Carr of Floresville, Texas, as Judge of the 81st Judicial District, succeeding Hon. W. O. Murray, resigned.

Hon. T. J. Thompson of Hillsboro, Texas, as a member of the State Board of Barber Examiners, to suc-

ceed Roy Johnston, for the next ensuing statutory term.

Hon. P. A. Martin, district judge of Wichita Falls, and Hon. W. R. Chapman, District Judge of Abilene, Texas, as members of the Advisory Civil Judicial Council, for the next ensuing statutory terms.

As Presiding Judges of the following Administrative Judicial Districts of Texas:

District 1, Hon. Reuben A. Hall of Marshall, Texas.

District 7, Hon. W. R. Chapman of Abilene, Texas.

District 8, Hon. P. A. Martin of Wichita Falls, Texas.

For the Judge of the Special District Court of Rusk and Gregg Counties, the Honorable Renne Allred, Jr.

All Notaries Public for all counties.

MARTIN, Chairman.

Confirmed.

Recess.

On motion of Senator Woodward, the Senate, at 12:21 o'clock p. m., recessed until 1:55 o'clock p. m.

After Recess.

The Senate met at 1:55 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem. Walter Woodul.

Joint Session.

At 2 o'clock the Senate adjourned to the House for the joint session to count the votes for Governor and Lieutenant Governor.

In the House.

Escorted by the Secretary of the Senate, Bob Barker, and A. W. Holt, Sergeant-at-Arms of the Senate, the Senators advanced into the Hall and, by direction of the Speaker of the House, occupied seats already prepared for them along the aisle.

The Hon. Walter Woodul, President Pro Tempore of the Senate, by invitation of the Speaker, occupied a seat on the Speaker's stand.

The President Pro Tempore of the Senate then directed the Secretary of the Senate to call the roll of the Senate.

The roll of the Senate was called, and the following Senators answered to their names:

Beck.	Oneal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.

Absent.

Fellbaum.	Rawlings.
Greer.	Small.
Patton.	

Senator Walter Woodul announced a quorum of the Senate present.

The Speaker then directed the Clerk to call the roll of the House.

The roll of the House was called, and the following Members answered to their names:

Mr. Speaker.	Dwyer.
Adamson.	Engelhard.
Aikin.	Fain.
Alexander.	Few.
Alsup.	Fisher.
Anderson	Ford.
of Bexar.	Fuchs.
Anderson	Glass.
of Johnson.	Golson.
Baker.	Good.
Barrett.	Goodman.
Barron.	Graves.
Beck.	Griffith.
Bedford.	Haag.
Bourne.	Hankamer.
Bradley.	Harman.
Burns.	Harris.
Butler.	Harrison.
Calvert.	Hartzog.
Camp.	Head.
Canon.	Hester.
Cathey.	Hicks.
Caven.	Hill of Brazoria.
Chastain.	Hill of Webb.
Clayton.	Hodges.
Colson.	Holekamp.
Coombes.	Holland.
Cowley.	Holloway.
Crossley.	Hoskins.
Daniel.	Huddleston.
Davidson.	Hughes.
Dean.	Hunt.
Devall.	Hyder.
Dunagan.	Jackson.
Dunlap.	James.
Duvall.	Jefferson.

Johnson	Ramsey.
of Dimmit.	Ratliff.
Johnson	Ray.
of Anderson.	Reader.
Jones of Runnels.	Reed of Bowie.
Jones of Shelby.	Reed of Dallas.
Jones	Renfro.
of Atascosa.	Riddle.
Kayton.	Roberts.
Kyle	Rogers
of Palo Pinto.	of Ochiltree.
Kyle of Hays.	Rogers of Hunt.
Laird.	Rollins.
Latham.	Ross.
Lemens.	Russell.
Leonard.	Savage.
Lindsey.	Scarborough.
Lotief.	Scott.
Magee.	Shannon.
Mackay.	Shults.
Mathis.	Smith.
McClain.	Stanfield.
McCullough.	Steward.
McDougald.	Stinson.
McGregor.	Stovall.
McKee.	Sullivant.
Merritt.	Tarwater.
Metcalfe.	Tennyson.
Mitcham.	Thomas.
Moffett.	Tillery.
Moore.	Townsend.
Morrison.	Turlington.
Morse.	Van Zandt.
Munson.	Vaughan.
Nicholson.	Walker.
Palmer.	Weinert.
Parkhouse.	Wells.
Patterson.	West.
Pavlica.	Winningham.
Pope.	Wood.
Puryear.	Young.

Absent—Excused.

Greathouse.	Wagstaff.
Long.	

The Speaker announced a quorum of the House present.

The President Pro Tempore of the Senate and the Speaker of the House then stated that the two houses were in Joint Session for the purpose of counting the votes for Governor and Lieutenant-Governor cast at the last general election.

The President Pro Tempore announced the appointment of the following tellers on the part of the Senate:

Senators Redditt, Duggan and Collie.

The Speaker announced the appointment of the following tellers on the part of the House:

Messrs. Daniel, McClain, and Morrison.

The joint tellers were announced present, and they at once came forward and occupied seats already prepared for them.

The Speaker then requested the joint tellers to come forward to receive the returns of the last general election for Governor and Lieutenant-Governor, which returns had been duly delivered by the Secretary of State to the Speaker of the House of Representatives of the Forty-third Legislature.

The joint tellers then proceeded to the work of counting the votes cast

for Governor and Lieutenant-Governor at the last general election.

(Pending the count of the vote, Mr. Mathis occupied the Chair, temporarily.)

When the count was completed, the President Pro Tempore of the Senate and the Speaker of the House announced to the Joint Session that the joint tellers had completed the count of the votes, and that the Joint Session is now ready to receive the results and to have the report of the joint tellers.

Senator Hornsby, on the part of the Senate, and T. H. McGregor, on the part of the House, submitted the following report:

County.	For Governor.						For Lieuten.		
	Ferguson.	Bullington.	Armstrong.	Edwards.	Howe.	Hiett.	Witt.	Bass.	Lane.
Anderson	3,664	1,165	1	11			4,704	159	
Andrews	131	60					193	2	
Angelina	359	1,416	1	3			4,925	153	
Aransas	174	145	1	2			304	27	
Archer	1,054	635		1			1,621	81	
Armstrong	366	430	2				845	41	
Atascosa	1,637	641	1	5		2	2,140	168	
Austin	2,539	536	1				3,030	114	
Bailey	615	345	1	1			872	73	
Bandera	658	637		4		1	930	346	
Bastrop	2,470	758		1			3,144	110	
Baylor	931	497	3	1			1,454	36	
Bee	1,514	1,170	4	9			2,379	294	
Bell	5,395	2,874	2	8			7,991	135	
Bexar	30,731	15,935	10	103	9	4	40,638	6,050	13
Blanco	995	390	5	2		1	1,278	124	
Borden	200	40					251	5	
Bosque	2,518	902					3,334	161	
Bowie	3,827	1,709	6	8		1	5,471	304	1
Brazoria	2,309	1,359		3			3,047	532	
Brazos	1,656	1,036	2	3			2,673	90	
Brewster	526	457		1			913	88	
Briscoe	675	318		1			993	27	
Brooks	514	196					638	63	
Brown	2,698	1,504	4	7		1	4,194	227	1
Burleson	2,331	313		49			2,530		

County.	For Governor.						For Lieut.	
	Ferguson.	Bullington.	Armstrong.	Edwards.	Howe.	Hiett.	Witt.	Bass.
Burnet	1,280	748	2	-----	-----	1	1,974	104
Caldwell	2,387	1,176	-----	-----	-----	-----	3,528	142
Calhoun	586	335	-----	-----	-----	-----	877	70
Callahan	1,635	593	3	4	-----	-----	2,169	-----
Cameron	4,545	4,241	-----	21	1	2	7,300	1,636
Camp	1,013	392	-----	1	-----	-----	1,482	44
Carson	-----	-----	-----	-----	-----	-----	-----	-----
Cass	2,557	658	1	-----	-----	-----	3,213	156
Castro	638	377	-----	3	-----	-----	966	50
Chambers	638	215	1	3	-----	-----	898	62
Cherokee	2,863	1,424	3	4	-----	-----	4,288	123
Childress	1,307	886	5	9	-----	-----	2,148	102
Clay	1,568	895	3	4	-----	-----	2,428	94
Cochran	247	154	-----	7	-----	-----	371	18
Coke	666	336	1	6	-----	-----	995	50
Coleman	1,949	1,119	2	6	-----	-----	3,003	146
Collin	5,040	1,910	7	22	1	-----	6,629	446
Collingsworth	1,167	669	9	6	-----	-----	1,825	88
Colorado	2,150	922	1	7	-----	1	2,784	281
Comal	1,795	534	1	3	-----	-----	2,221	169
Comanche	2,058	1,203	4	7	-----	-----	3,242	114
Concho	841	336	-----	3	1	-----	1,143	40
Cooke	2,336	1,894	1	10	-----	-----	4,043	26
Coryell	2,523	1,016	1	2	-----	-----	3,430	123
Cottle	844	356	2	-----	-----	-----	1,201	34
Crane	257	199	-----	-----	-----	-----	413	36

Crockett	147	348	1		1		404	92
Crosby	1,029	687					1,647	69
Culberson	193	115	1				302	11
Dallam	895	1,418	2	9	2	1	2,011	302
Dallas	21,132	25,836	103	193	9	5	42,572	5,567
Dawson	1,119	699	1				1,744	84
Deaf Smith	547	1,038					1,467	170
Delta	1,541	461	2	1			2,039	65
Denton	3,358	2,307	3	13	1	3	5,386	348
DeWitt	2,346	1,161	2	2			3,333	231
Dickens	1,103	421		5	1	1	1,511	42
Dimmit	509	574					915	167
Donley	891	912		1	1	1	1,726	95
Duval	1,495	97					1,565	31
Eastland	3,209	2,272	3	26			5,171	380
Ector	261	297				20	535	24
Edwards	406	395		1		1	618	156
Ellis	4,708	2,634	11	19			7,284	308
El Paso	7,514	6,558	4	101	1		11,891	2,248
Erath								
Falls	3,218	939		12			4,102	133
Fannin	3,872	1,791		8			5,473	310
Fayette	4,383	878		1	1	1	5,134	169
Fisher	1,028	489	2				1,496	64
Floyd	1,125	97	2	1		1	2,036	107
Foard	577	344	10	7			889	49
Fort Bend	2,491	750	1	4			3,160	117
Franklin	1,035	279	2				1,337	40
Freestone	1,692	901		5			2,548	109
Frio	705	91					1,013	98
Gaines	293	270	1	6			520	26
Galveston	9,001	3,244	7	20	4	3	10,865	1,377
Garza	510	383		4			837	62
Gillespie	2,038	1,303	2	6		1	2,496	792
Glasscock	135	123						
Goliad	1,227	520		1	1	3	1,575	161
Gonzales	2,381	1,312	4				3,514	238

County.	For Governor.						For Lieute	
	Ferguson.	Bullington.	Armstrong.	Edwards.	Howe.	Hiett.	Witt.	Bass.
Gray	2,130	1,763	6	9	1	1	3,621	338
Grayson	5,856	5,154	7	23			10,413	988
Gregg	4,101	1,467		10			4,877	268
Grimes	1,312	888	1	2			2,173	88
Guadalupe	2,995	1,445	4	3		1	3,677	718
Hale	1,608	1,382	10	4			3,200	283
Hall	1,141	993		4	15		2,140	70
Hamilton	1,829	761		1	2			
Hansford	500	369		17			818	67
Hardeman	1,310	755		1			2,080	76
Hardin	2,370	340					2,688	42
Harris	32,717	22,382	20	200	39	6	49,787	5,982
Harrison	2,148	2,344	1	13			4,207	306
Hartley	329	335					598	70
Haskell	1,666	831		3			2,451	95
Hays	1,207	963					2,167	80
Hemphill	355	691	1	1	1		945	103
Henderson	2,999	856	1	5			3,626	149
Hidalgo	7,798	5,962	42	39	4	10	10,238	3,410
Hill	3,632	1,878	5	1				
Hockley	1,175	412	1	25	4		1,562	70
Hood	784	435	1	3		1	1,169	77
Hopkins	2,700	1,311		4			3,949	180
Houston	2,166	1,029		3			3,153	48
Howard	1,748	1,112	1	1			2,804	123
Hudspeth	198	178					359	18

Hunt								
Hutchinson	1,341	1,181	5	15	2		2,139	359
Irion	239	213		7			430	20
Jack	882	760	3	4		1	1,527	125
Jackson	838	658		4			1,368	130
Jasper	1,489	579	4				2,000	70
Jeff Davis	115	182		2			287	3
Jefferson	12,515	8,936	6	57	7	2	18,376	2,808
Jim Hogg	302	170					441	45
Jim Wells	1,096	519	1	1	2		1,498	116
Johnson	2,962	2,312	8	8			5,085	358
Jones	1,968	1,108	3	12		1	3,043	126
Karnes	1,953	706	1			1	2,578	123
Kaufman	2,940	1,344	3				4,224	177
Kendall	845	778		2		3	1,112	479
Kenedy	117	12					125	4
Kent	451	131		3			570	11
Kerr	1,412	1,425		9		1	2,241	542
Kimble	591	449		2			930	96
King	190	38					231	
Kinney	562	227	1				704	83
Kleberg	1,201	698	3	7			1,811	136
Knox	1,106	543	3	3			1,638	61
Lamar	4,166	1,913		12	1	2	6,139	167
Lamb	2,049	1,128		10	1		3,042	179
Lampasas	1,097	885		1			1,797	84
LaSalle	680	214		1			822	84
Lavaca	4,041	860	4	2			4,787	151
Lee	1,571	497					960	67
Leon	1,512	600		2			2,014	63
Liberty	1,935	818		7			2,626	177
Limestone	3,179	1,324	7	3		1	4,513	118
Lipscomb	342	877		7			863	344
Live Oak	899	369	1	4		1	1,178	71
Llano	938	473	1	1			1,363	70
Loving	142	61	1				196	15
Lubbock	3,171	2,744	1	14	2		5,536	418

County.	For Governor.						For Lieut.	
	Ferguson.	Bullington.	Armstrong.	Edwards.	Howe.	Hiett.	Witt.	Bass.
Lynn	1,325	745	—	8	—	—	2,009	60
Madison	958	350	8	1	—	—	1,369	49
Marion	714	205	3	1	—	—	886	71
Martin	541	203	4	1	—	5	703	26
Mason	581	596	—	3	—	—	985	153
Matagorda	1,319	1,095	4	6	2	—	2,125	323
Maverick	634	411	1	3	—	1	882	188
McCullough	1,395	889	—	1	—	—	2,123	160
McLennan	7,635	6,035	9	52	2	1	13,329	688
McMullen	215	48	—	—	—	—	250	5
Medina	2,118	938	2	1	—	1	2,576	462
Menard	597	431	—	1	—	—	962	78
Midland	640	763	—	2	1	11	1,296	98
Milam	3,705	1,207	2	5	—	—	4,857	124
Mills	1,038	525	—	—	—	—	1,497	89
Mitchell	1,019	752	—	—	—	—	1,722	112
Montague	2,090	1,219	5	13	—	2	3,202	176
Montgomery	1,655	474	—	—	—	—	2,072	70
Moore	213	401	1	—	—	—	570	43
Morris	—	—	—	—	—	—	—	—
Motley	524	338	1	—	—	—	907	35
Nacogdoches	2,811	859	2	1	—	—	3,705	90
Navarro	4,273	2,624	1	3	—	—	6,791	297
Newton	1,403	225	1	1	—	—	1,605	34
Nolan	1,550	1,055	1	3	—	1	2,625	121
Nueces	4,471	3,045	3	11	1	—	7,084	557

Ochiltree	486	804	2	2		1,149	152
Oldham	230	225				442	45
Orange	2,410	647		1		2,935	166
Palo Pinto	1,753	1,274	1	4		2,907	218
Panola	2,108	500	4	6		2,664	30
Parker	1,850	1,539	4	19	1	3,296	180
Parmer	766	540		8		1,174	121
Pecos	902	638	1	3		1,336	121
Polk	1,581	545	1			2,150	72
Potter	3,413	4,142	1	10	2	6,931	747
Presidio	624	332		1		872	73
Rains	882	96		3		951	29
Randall	779	941	2	1	1	1,599	139
Reagan	316	494		1		731	74
Real	291	181	1			390	74
Red River	2,358	874	4	3		3,247	90
Reeves	586	613				1,108	96
Refugio	907	474	8	2		1,214	174
Roberts	177	323				472	33
Robertson	1,981	561	1			2,487	95
Rockwall	956	356	1			1,319	36
Runnels	2,039	1,437	5	10		3,096	151
Rusk	4,047	1,314	1	4		5,145	261
Sabine	1,672	151	1			1,817	25
San Augustine	1,672	151	1			1,813	12
San Jacinto	699	132				839	5
San Patricio	1,290	1,311	10	5		2,416	199
San Saba	1,259	786		1		1,956	80
Schleicher	314	268				547	43
Scurry	954	715		1	3	1,584	117
Shackelford	833	569	4	2		1,353	59
Shelby	3,097	563		18		3,640	65
Sherman	244	358		3		527	89
Smith	5,053	2,917	6	11	1	729	508
Somervell	417	195	3	3		616	24
Starr	712	67				753	31
Stephens	1,710	1,270	1	5	3	2,773	197

County.	For Governor.						For Lieut.	
	Ferguson.	Bullington.	Armstrong.	Edwards.	Howe.	Hiett.	Witt.	Bass.
Sterling	163	188					364	8
Stonewall	808	213		2			997	34
Sutton	221	286					478	83
Swisher	820	820		4			1,562	110
Tarrant	16,580	16,125	116	115	5	2	30,400	3,111
Taylor	2,946	2,790	2	5	1		5,559	369
Terrell	318	295		2			495	121
Terry	1,014	501	9	10	9	1	1,471	69
Throckmorton	550	423	3	1			989	50
Titus	2,523	75		3	1		2,564	39
Tom Green	2,652	3,091	3	3	1		5,243	352
Travis	8,109	5,227	3	18	1	1	12,442	1,168
Trinity	1,230	369					1,589	35
Tyler	1,079	380		1			1,476	27
Upshur	2,346	667	5	4		5	2,975	82
Upton	658	478	3	3		1	1,050	70
Uvalde	1,310	848					1,937	259
Val Verde	916	914		1			1,543	284
Van Zandt	3,396	869	6	18		1	4,265	
Victoria	2,172	748	2	4		1	2,832	142
Walker	1,391	508		1		1	1,863	37
Waller	958	316		1			1,264	48
Ward	515	236	2	1			702	55
Washington	3,085	412		2			3,427	44
Webb	3,697	209	2	1		1	4,297	627
Wharton	2,284	1,444	6	7	1	1	3,436	334

Wheeler	1,514	894	1	8	1	2,258	210
Wichita	4,487	5,787	11	11	1	9,292	1,119
Wilbarger	2,213	1,272	11	5		3,505	108
Willacy	837	489	2			1,106	218
Williamson							
Wilson	2,018	585		2		2,513	115
Winkler	473	271	1	4	1	661	78
Wise	1,713	1,201	2	11		2,798	197
Wood	2,724	737	1	13	1	3,377	138
Yoakum							
Young	1,984	1,467	2	1	1	3,295	193
Zapata	265	35				277	26
Zavala	538	455		2		878	122

Hon. Walter Woodul, President Pro Tem. of the Senate.

Hon. Coke Stevenson, Speaker of the House of Representatives.

We, your committees, appointed to canvass the returns of an election held in the State of Texas on the eighth day of November, 1932, for Governor and Lieutenant-Governor, hereby certify the following votes were cast:

For Governor.

Miriam A. Ferguson.....	528,986
Orville Bullington.....	317,807
George Clifton Edwards.....	1,866
George W. Armstrong.....	706
Otho L. Hiatt.....	101
Philip L. Howe.....	72
Tom Hunter.....	28
R. S. Sterling.....	20
Clint Small.....	1
R. L. Murray.....	1
C. B. Knobloch.....	1
Elmer Zilch.....	1
Jim Ferguson.....	1
Judge Hamilton.....	1
E. F. Hunter.....	1
Tom Jackson.....	1
Tom Higginbotham.....	1

For Lieutenant-Governor.

Edgar E. Witt.....	775,762
James W. Bass.....	68,439
E. M. Lane.....	2,095
T. E. Barlow.....	126
Charles P. Smith.....	123
Jack Nolan.....	201
Chas. T. South.....	1

Respectfully submitted this, the 13th day of January, 1933.

JNO. W. HORNSBY,
Chairman Senate Committee.
T. H. MCGREGOR,
Chairman House Committee.

Whereupon, Hon. Coke R. Stevenson, Speaker of the House of Representatives, made the following announcement:

"Hon. Miriam A. Ferguson having received the highest number of votes cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare her duly, legally, and constitutionally elected Governor of the State of Texas for the ensuing term of two years; and Hon. Edgar Witt, having received the highest number of votes

cast, I, by virtue of the authority vested in me by the Constitution and laws of the State of Texas, declare him duly, legally, and constitutionally elected Lieutenant-Governor of the State of Texas for the ensuing term of two years."

The Speaker of the House then announced that the business of the joint session was concluded and delivered the election returns used in counting the vote into the hands of the Chief Clerk, Louise Snow Phinney, taking her receipt therefor, and directing her to deliver the same in person to the Secretary of State and to take the receipt of the Secretary of State for the documents.

On motion of Senator Redditt, the Senate at 4:15 o'clock p. m., returned to the Senate Chamber.

Message From the Governor.

Executive Department,
January 13, 1933.

To the State Senate of Texas, Forty-third Legislature:

As an emergency matter for your special consideration and confirmation, I am submitting the name of Honorable J. W. Fitzgerald, whom I have appointed on December 21, 1932, as Judge of the Special District Court of Smith and Upshur Counties, created by Chapter 47, Third Called Session, Forty-second Legislature.

Respectfully submitted,
R. S. STERLING,
Governor of Texas.

Referred to Committee on Governor's Nominations.

Motion for Free Conference.

The question recurred upon the motion to ask for a Free Conference Committee on S. C. R. No. 3.

Senator Parr moved to adjourn until Monday morning at 10 o'clock. The motion was lost.

Senator Parr raised the point of order that a quorum was lacking. The roll call showed 20 present.

Senator Woodul moved a call of the Senate. The motion failed to receive the proper seconding.

Recess.

On motion of Senator Purl, the Senate, at 4:43 o'clock p. m., recessed until 10 o'clock tomorrow morning.

APPENDIX.**Committee on Enrolled Bills.**

Committee Room,
Austin, Texas, Jan. 13, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. C. R. No. 1 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, Jan. 13, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. C. R. No. 2 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, Jan. 13, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 2 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee Room,
Austin, Texas, Jan. 13, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 3 carefully examined and compared and find same correctly enrolled.
GREER, Chairman.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, Jan. 13, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 1 carefully examined and compared and find same correctly engrossed.
REGAN, Chairman.

THIRD DAY (Continued).

Senate Chamber,
Austin, Texas,

Saturday, January 14, 1933.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem. Walter Woodul.

Since no quorum was present when the Senate recessed, the roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Blackert.	Oneal.
Collie.	Pace.
Cousins.	Parr.
DeBerry.	Poage.
Duggan.	Redditt.
Holbrook.	Regan.
Hornsby.	Sanderford.
Martin.	Woodruff.
Moore.	Woodul.
Murphy.	Woodward.

Absent.

Hopkins.	Russek.
Purl.	

Absent—Excused.

Fellbaum.	Rawlings.
Greer.	Small.
Patton.	Stone.

Motion for Free Conference.

The question recurred upon the question to ask for a free conference committee on S. C. R. No. 3.

The motion prevailed by the following vote:

Yeas—14

Beck.	Murphy.
Blackert.	Neal.
Collie.	Pace.
Cousins.	Parr.
DeBerry.	Regan.
Duggan.	Sanderford.
Martin.	Woodul.

Nays—7.

Holbrook.	Redditt.
Hornsby.	Woodruff.
Oneal.	Woodward.
Poage.	

Absent.

Hopkins.	Purl.
Moore.	Russek.

Absent—Excused.

Fellbaum.	Rawlings.
Greer.	Small.
Patton.	Stone.